

AMENDED IN ASSEMBLY MARCH 25, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1732

Introduced by Assembly Member Hall

February 4, 2010

An act relating to parks.

LEGISLATIVE COUNSEL'S DIGEST

AB 1732, as amended, Hall. Parks: property transfer.

Existing law provides for the acquisition of public park property and facilities and compensation for that transfer under specified circumstances.

The Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (the Villaraigosa-Keeley Act) authorizes, for the purpose of financing a program for the acquisition, development, improvement, rehabilitation, restoration, enhancement, and protection of park, recreational, cultural, historical, fish and wildlife, lake, riparian, reservoir, river, and coastal resources, the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$2,100,000,000. The act prohibits the use of the grant funds unless the applicant has agreed to certain conditions, including but not limited to, using the property only for the purposes for which the grant was made and to make no other use or sale or other disposition of the property, except as authorized by a specific act of the Legislature. The act requires that if the use of the property is changed to a use that is not permitted by the act or if the property is sold or otherwise disposed of, an amount equal to the amount of the grant, the fair market value of the real property, as specified, or the proceeds from the sale or other disposition

be used by the grantee for a purpose authorized by the act or that this amount be reimbursed to the fund.

This bill would authorize the City of Los Angeles to transfer to the Los Angeles Unified School District parkland known as the Vernon Branch Library Pocket Park and the facilities on that land, conditioned upon, among other things, ~~that the city complies~~ *complying* with the requirements of the Villaraigosa-Keeley Act and ~~provides~~ *providing* a copy of the recorded deed and title policy for, and map of, a substitute parkland. The bill would also prohibit the transfer until the Department of Parks and Recreation determines that all required conditions have been met.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) The City of Los Angeles may transfer to the
2 Los Angeles Unified School District parkland known as the Vernon
3 Branch Library Pocket Park and the facilities on that land, if the
4 all of the following conditions are met:
5 (1) The city complies with Section 5096.343 of the Safe
6 Neighborhood Parks, Clean Water, Clean Air, and Coastal
7 Protection Bond Act of 2000 (the Villaraigosa-Keeley Act)
8 (Chapter 1.692 (commencing with Section 5096.300) of Division
9 5 of the Public Resources Code), and submits to the Department
10 of Parks and Recreation a copy of the recorded deed and title policy
11 for, and map of, the substitute parkland.
12 (2) The city submits to the department a revised map of Vernon
13 Branch Library Pocket Park, with the revised acreage.
14 (3) *The city enters into an agreement with the Los Angeles*
15 *Unified School District that identifies the parcels in the city that*
16 *will be acquired and developed as substitute parkland and the*
17 *facilities that will be constructed on the substitute parkland.*
18 ~~(3)~~
19 (4) The city provides a detailed land plan that shows the
20 following:
21 (A) The specific parcels of Vernon Branch Library Pocket Park
22 that will be transferred to the Los Angeles Unified School District
23 (B) The parcels in the city that will be acquired and developed
24 as substitute parkland.

1 (C) The facilities that will be constructed on the substitute
2 parkland.

3 (D) A demonstration that there is no net loss in park acreage as
4 a result of the transfer pursuant to this section.

5 ~~(4)~~

6 (5) The transferred property is used only for a school facility.

7 ~~(5)~~

8 (6) The city ensures that the substituted parkland is developed
9 and dedicated in perpetuity for park purposes.

10 ~~(6)~~

11 (7) At least 45 days prior to transferring the property, the city
12 adopts an ordinance at a public meeting that does all of the
13 following:

14 (A) Identifies the Vernon Branch Library Pocket Park parcels
15 that are to be transferred to the school district, and the parcels that
16 the city will acquire to replace the transferred property.

17 (B) Makes a finding that the replacement property used as a
18 substitute parkland has a value that equals the amount of the grant
19 used to acquire the property known as the Vernon Branch Library
20 Pocket Park, the fair market value of that real property, or the
21 proceeds from the sale or other disposition, whichever is greater.

22 (C) Makes a finding that the replacement parcels and facilities
23 will be provided or paid for by the school district and will have
24 acreage that is equal to or larger than the acreage of the Vernon
25 Branch Library Pocket Park parcels transferred to the school
26 district.

27 (D) Makes a finding that the transfer does not diminish the
28 environmental integrity or recreational value of Vernon Branch
29 Library Pocket Park.

30 (E) Makes a finding that the replacement parcels, including
31 facilities, will provide an equivalent or higher level of recreational
32 and environmental service to the current users of Vernon Branch
33 Library Pocket Park.

34 (F) Makes a finding that the replacement parcels and facilities
35 are in addition to existing city property.

36 (G) Makes a finding that the city has obtained all required state
37 and federal approvals for the transfer of the Vernon Branch Library
38 Pocket Park parcels to the school district.

- 1 (b) The transfer pursuant to subdivision (a) shall not occur until
- 2 the department determines that all of the conditions set forth in
- 3 subdivision (a) have been met.